

HOUSE BILL REPORT

HB 1145

As Passed House:

March 3, 2005

Title: An act relating to donation of unclaimed personal property to nonprofit charitable organizations.

Brief Description: Authorizing donation of unclaimed personal property to nonprofit charitable organizations.

Sponsors: By Representatives Clibborn, Tom, Morrell, Springer, Curtis, Ormsby, Kagi, Eickmeyer, Kenney and Darneille.

Brief History:

Committee Activity:

Local Government: 1/24/05, 2/10/05 [DP].

Floor Activity:

Passed House: 3/3/05, 97-0.

Brief Summary of Bill

- Allows state and local law enforcement agencies to donate any unclaimed personal property to nonprofit charitable organizations provided such property is used for the benefit of needy persons.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

Staff: Thamas Osborn (786-7129).

Background:

Washington law has an extensive statutory scheme regarding procedures for the treatment and disposition of lost and/or unclaimed personal property. These statutes include provisions regulating how police departments, county sheriffs, and the state patrol must dispose of such property. The regulations governing these law enforcement agencies are similar, each containing procedures for the disposition of unclaimed property that include:

- notice requirements to the owner, if the owner has been identified;

- sale of unclaimed property at auction;
- destruction of certain types of property (e.g., dangerous, illegal, or worthless items); and
- retention of the property by the law enforcement agency under certain circumstances.

State law allows an exception to these general rules for county sheriffs and local police departments regarding the disposition of unclaimed bicycles, tricycles, and toys. This exception allows these items to be donated to nonprofit charitable organizations. No exception exists with respect to such unclaimed items that are in the possession of the state patrol.

Summary of Bill:

The state patrol, county sheriffs, and local police agencies may donate any unclaimed personal property to nonprofit charitable organizations provided such property is used for the benefit of needy persons.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill is necessary because the current requirements for the disposition of unclaimed property by state law enforcement agencies are complicated and expensive. This bill will greatly simplify the process and thus yields many benefits for both law enforcement agencies as well as the public: (1) reduces storage costs and eliminates procedural complexities of unclaimed property disposition; and (2) makes it easier for charitable organizations to obtain unclaimed property.

Testimony Against: None.

Persons Testifying: (In support) Representative Clibborn, prime sponsor; Kelly Donnelly, Mercer Island Police Department; Julie Stuvland, Monroe Police Department; Jeanne Johnson Jacobs, Everett Police; and Patti Lankford, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.